

REPORTS FROM BANKS IN HAWAII

LANE WINS FIRST RECOUNT BLOOD

SUPREME COURT OVERRULES THE DEMURRER ENTERED BY ATTORNEYS FOR MAYOR-ELECT FERN—WORK OF RE-EXAMINING BALLOTS WILL BE COMMENCED A WEEK FROM NEXT MONDAY.

The demurrer entered by the attorneys for Mayor-elect Fern in the election contest started by the Lane supporters, was overruled this morning in the Supreme Court and the starting of the actual work on the recount was set for Monday, December 21. All three justices agreed on the overruling of the demurrer, though Justice Wilder dissented from the other two members of the Court in the reasons for his opinion.

While the opinion which was given from the bench by Chief Justice Hartwell, and concurred in by Circuit Judge De Bolt, sitting on the Supreme Bench in the absence of Justice Balou, holds that the thirty signers of the petition must have been voters in the district which voted for mayor, that is the entire island of Oahu, Justice Wilder in his opinion held that the thirty must come from one of the districts into which the county is divided for the purpose of voting for deputy sheriff.

The verbal opinion given by Justice Hartwell was as follows: "The first ground of the demurrer is that the petition is ambiguous, unintelligible and uncertain in that it appears that although the petitioners claim that Lane received a large number of votes which were legally cast for him but were not counted and should have been declared elected, it appears from paragraph eleven of the petition that the total number of votes legally cast for him was 2158, although the official returns set out in paragraph four show that he received 2212 and Fern 2220. This is explained by other paragraphs in the petition. This ground was not specially relied on and it is not sustained. The main ground of the demurrer which is relied on, is that the petition does not show

that it is brought by the required number of voters of any election district.

"The petition avers that the petitioners being thirty-six in number, are 'duly qualified and registered voters entitled to vote' in said election districts for the office of the mayor of the city and County of Honolulu" and that they did vote at said election for the office of mayor.

"An election district is that portion of the Territory which is set apart by law for electing territorial or county or municipal officers. A senatorial or a representative district is not made by law a city or a county electorates by name and boundary the six districts in each of which a deputy sheriff election districts whether named in the act or not. The other municipal officers are by section 1 of the act elected by the voters in 'all that portion of the Territory of Hawaii commonly known as the Island of Oahu and all other islands in the Territory of Hawaii not included in any other county and the waters adjacent thereto.' The act, section 57, requires a petition to reverse, correct or change the decision of any board of election to be brought by 'any candidate directly interested or any thirty duly qualified voters of any election district.' Petitioners desiring to contest the election of a deputy sheriff would have to be voters of the district in which he was declared to be elected. So in order to contest the election of any other municipal officer it would be enough if they were duly qualified voters of the district by and in which the officer was elected as above described in section 1 of the act.

"The demurrer is overruled."

that Doyle is reported as destroying stills in the region of Waialua and the other members of the Internal Revenue office are anxious to know where the prisoners who used these stills are. It is hinted that there is some deep, dark mystery and that the prisoners are coming in by themselves to surrender before long.

A RELIABLE REMEDY FOR COUGHS.

With the dry, cold weather of the early winter months, parents of croupy children should be on the alert for ominous symptoms. There is no cause for anxiety when Chamberlain Cough Remedy is kept in the home. If this medicine is given as soon as the child becomes hoarse, or even after the croupy cough has appeared, the attack may be warded off. For sale by all dealers, Benson, Smith & Co., agents for Hawaii.

Governor Inquires

The strange ruling of the Postoffice department is finding that Hawaii is outside of the United States when the new agreement with Great Britain is considered, will be one of the subjects taken up by Governor Frear before he leaves Washington. The decision, as received here by Postmaster Pratt, was wired to the Executive by Acting Governor Mott-Smith this morning and the public may rest assured that Hawaii will receive consideration in the matter at least.

FIGHT FOR AUDITOR

DEMURRER IN KAUAI CASE ARGUED BEFORE SUPREME COURT THIS MORNING.

The demurrer in the case of Charles Blake against George E. H. Baker for the position of auditor of the County of Kauai was argued this morning before the Supreme Court. Attorneys Thayer and Watson representing the petitioner, and Davis and Peters the respondent. The general argument was on the same grounds as that in the case of the Fern contest, with the exception that there was no fight over the district proposition. Ambiguity and indefinite statements were alleged in the demurrer as the principal reasons that the contest should be dismissed.

Attorney Peters brought up one more point which may have an effect upon the final ending of the case. This was in connection with the manner in which the recount shall be conducted. Peters asked that the court give a ruling as to whether all the ballots cast should be considered by the court, or whether simply the string of ballots which were accepted should be considered as correct and the numerical number alone considered.

A second demurrer in the case was filed by Attorney Peters this morning, but ordered stricken from the files by the Court, as it should have been filed before. This action is similar to that taken by the Court yesterday in ordering that the affidavits filed by Attorney Davis in regard to the votes at Koolauoko, be stricken.

LARNACH HOME ILL

Deputy Attorney General Larnach returned from Hilo this morning, and looks far more fit for bed than for any court of law. Through the illness which he has been suffering from for several past weeks he was compelled to return to this city without completing the trial of the murder case which was on. It was in such condition, however, that he was able to turn it over to Deputy County Attorney Aluli. This was after all the evidence was in and the instructions of the court had been asked. Mr. Larnach stated that he believed that a verdict of murder in the first degree would be obtained against the two defendants.

COERCION ON MAUI

The Executive Committee of the Republican party met Wednesday forenoon, December 9, and acted favorably on the application of Moses M. Kekua for police officer for Nahu, also on the applications of W. L. Decoto, road overseer for Lahaina, C. B. Cockett, Sanitary Inspector, Lahaina; Jno. W. K. Hose, Food and Fish Inspector, Lahaina.—Maui News.

IT HAS COME.

We have received that large shipment of Tengu Japan rice and we are selling it fast, as the demand is very great. It supersedes all others in favor and quality. K. Yamamoto, sole agent, Hotel near Nuuanu.

MATSON MAY CUT OUT NEW TRAVEL BOAT

ACTION OF CHAMBER OF COMMERCE CALLS FORTH HOT CABLE FROM HEAD OF NAVIGATION COMPANY AND LOCAL INTERESTS LOSE NO TIME IN FLASHING BACK ASSURANCES THAT THE CHAMBER DOES NOT REPRESENT THE SENTIMENT OF SHIPPERS

The action of the Chamber of Commerce of this city, after flopping several times, in regard to the suspension of the coastwise laws, and allowing passengers to travel on any old bottom that passes this way, foreign or otherwise, resulted in the receipt this morning by Castle & Cooke, local agents of the Matson Navigation Company, of a cablegram from Captain Matson, president and the main man of the Matson company, to the effect that, in view of the attitude of the Chamber of Commerce, the contemplated freight and passenger boat, that is planned as the latest addition to the Matson fleet, would not be a passenger boat, but would be confined to freight accommodations.

This cablegram called for a meeting of the local interests principally identified with the Matson Company, Castle & Cooke, C. Brewer & Co., and Alexander & Baldwin, with the result that there was hastened back to the mainland a cablegram which notified Matson that a letter of full explanation was en route, and advising him to continue with his original plans of putting into this service a fine passenger as well as a good freight boat, the queen of the fleet which has of late made such a stir in shipping circles by taking to itself so large a proportion of the business of these islands.

It appears that the local interests of the Matson Navigation Company feel that Matson, their head, is not thoroughly informed on the attitude of the people here who are really the shippers, and that the Merchants' Association is in favor of the continuation of matters as they are in regard to the coastwise laws.

It is believed that when Matson realizes that the business interests here, the actual shippers, those who patronize the freight carriers, are in favor of the perpetuation of the present situation, the passenger boat, and freighter, promised by him, will materialize and that Honolulu need not fear any loss through the action of the Chamber of Commerce.

PROVIDING FOR VOLUNTEER ARMY

WASHINGTON, D. C., December 12.—A bill was today introduced in Congress with a view to providing for a volunteer army.

100 DEAD AND HURT IN BLOW-UP

PANAMA, December 12.—An explosion of dynamite has occurred at Bas Obispo and the killed and injured number one hundred.

SMALLPOX ABOARD

COLOMBO, December 12.—U. S. S. Georgia arrived here today with one case of smallpox aboard.

PELE WIRELESS TO WIZARD ISBELL

Pele, Hawaii's goddess of fire, has spoken. She of the ancient days, the individualism of the elemental principle of fire, asleep for ages except in the appreciative minds of her thousands of devotees whose understanding was intuitive rather than scientific, has at last actually spoken to the world in the most modern method of expression. Pele, or call it what you like, has given a message to the understanding of man, an actual message, through the astounding little wireless receiver ordinarily referred to as "the pericon," and that in the hands of Wireless Wizard Arthur A. Isbell. Here is a young man old in the most wonderful of experiences. Thirty-three-year-old Isbell who has talked from Honolulu, or rather Kahuku, to Sitka, to Point Loma, to San Francisco, to ships of war in Magdalena Bay, to vessels afar at sea, bound southward, and who has listened to the lingo of far Japan and who has stolen messages traversing the broad Pacific between the neighborhood of Yokohama and the Golden Gate, six thousand miles—he it is to whom Pele, Hawaii's volcano—She, the goddess of fire, has spoken. The pericon, be it known such as the local wireless company is possessed of, is the most sensitive wireless receiver in the world. Isbell, while at the volcano, the other day, carried with him such a receiver and accessories for aerial connections, and while on the brink of the pit of Halemaumau was listening for any test sparks that might be sent him from Kahuku. He failed to recognize Kahuku's call and was about to give up hope of connecting, on account of the

(Continued on Page Five.)

DEUTSCHE PFEFFERNUISSE. We have the celebrated Xmas cookies of Germany. They are home made and delicious. Alexander Young Cafe.

TWO ONLY FURNISH DUE INFORMATION TO THE TREASURY

(Associated Press Cable to The Star.)

WASHINGTON, D. C. December 12.—The Comptroller of Currency has issued a report in which he states that but two banks in the Territory of Hawaii have made proper responses to his requests for a report. The statements from the others have been either the regular periodical ones or have been incomplete.

This evidently refers to the national banks in this Territory, of which there are four, the First National in this city, the Baldwin National in Kahului, the First National in Wailuku and the Lahaina. At unexpected dates the Comptroller of Currency cables for a statement of the accounts, etc., of the National banks all over the country. Evidently some of the Maui banks have failed to send in the proper reports and measures will be taken to make them come to time. None of the private banks in this city have received requests for a report.

RUEF'S SENTENCE OFF ONE WEEK

SAN FRANCISCO, December 12.—The sentencing of Abe Ruef has been postponed until Saturday next, the 19th inst.

MURPHY JURY OUT.

The jury trying former Supervisor Murphy for jury-bribe is out considering its verdict.

THREE DEAD IN EXPLOSION

BEAUMONT, Cal., December 12.—An explosion occurred today in a locomotive drawing a train on the Southern Pacific Railway. Three persons are dead as a result.

LAUNCHING LUNCH VICTIM IS DYING

VALLEJO, California, December 12.—Numerous relapses have occurred in the cases of victims of the ptomaine poisoning as the result of impure food furnished at the luncheon at the launching of the collier Prometheus at Mare Island and one of the patients is dying.

The place to have your Typewriters and machines repaired is at Wall, Nichols Co., Ltd. Fort and Merchant streets. Telephone 10.

SACHS' HOLIDAY GOODS. The holiday specials at Sachs' are bringing many shoppers, for good values are the rule in this store.

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